

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2008-009412-001 SE

07/23/2009

HONORABLE EMMET RONAN

CLERK OF THE COURT

M. Postert

Deputy

STATE OF ARIZONA

JOHN EUGENE KELLY

v.

JOHN WESLEY JOHNSON (001)

DOB: 8/06/1978

EUGENE A BARNES IV

APO-SENTENCE IMPRISON-SE

APPEALS-CCC

AZ DOC

DISPOSITION CLERK-CSC

VICTIM SERVICES DIV-CA-SE

SENTENCE OF IMPRISONMENT

10:57 a.m.

State's Attorney: Angela Andrews for John Kelly

Defendant's Attorney: Eugene Barnes

Defendant: Present

Court Reporter: Helene Paustian

Count(s) 1: WAIVER OF TRIAL: The Defendant knowingly, intelligently and voluntarily waived all pertinent constitutional and appellate rights and entered a plea of guilty.

IT IS THE JUDGMENT of the Court Defendant is guilty of the following:

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OFFENSE: COUNT 1: UNLAWFUL FLIGHT FROM LAW ENFORCEMENT
VEHICLE WITH ONE PRIOR FELONY CONVICTION

Class 5 FELONY

A.R.S. § 28-622.01, 28-624(C), 28-3001, 28-3304, 28-3305, 28-3315, 13-701, 13-702,
13-702.01 and 13-801

Date of Offense: December 8, 2008

Non Dangerous - Repetitive

AS PUNISHMENT, IT IS ORDERED Defendant is sentenced to a term of imprisonment
and is committed to the Arizona Department of Corrections as follows:

Count 1: 2.25 year(s) from July 23, 2009

Presentence Incarceration Credit: 217 day(s)

Presumptive

Sentence is concurrent with CR2008-176391-001.

Pursuant to A.R.S. § 13-604, the Court finds that the Defendant has been convicted of the
following prior felony offenses:

THEFT, a class 6 NON-DANGEROUS felony committed on 12/06/1997 and convicted
on 1/27/1998 in CR1997-095428-001 in Maricopa County Superior Court.

Community Supervision: Count 1 - Imposed pursuant to A.R.S. § 13-603(I).

LET THE RECORD REFLECT that the Court recommends that the Defendant be placed
in a minimum security facility.

IT IS ORDERED granting the Motion To Dismiss the following: Allegation of more
than one prior felony conviction.

IT IS ORDERED authorizing the Sheriff of Maricopa County to deliver the Defendant to
the Arizona Department of Corrections to carry out the term of imprisonment set forth herein.

IT IS ORDERED the Clerk of the Superior Court remit to the Arizona Department of
Corrections a copy of this Order or the Order of Confinement together with all presentence
reports, probation violation reports, and medical and psychological reports that are not sealed in
this cause relating to the Defendant.

The presentence investigation report is filed under CR2008-176391-001.

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11:03 a.m. Matter concludes.

ISSUED: Order of Confinement - Certified Copy to DOC via MCSO

This case is eFiling eligible: <http://www.clerkofcourt.maricopa.gov/efiling/default.asp>

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Defendant's thumbprint is permanently affixed to this sentencing order in open court.

/s/ HONORABLE EMMET RONAN
JUDGE OF THE SUPERIOR COURT

(thumbprint)